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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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W. CLARK APOSHIAN,

Plaintiff,

vs.

ROBERT M. WILKINSON, Acting Attorney  
General of the United States, et al.<sup>1</sup>

Defendants.

Case No. 2:19-cv-00037-JNP-CMR

**STIPULATED MOTION TO EXTEND  
TIME TO RESPOND TO COMPLAINT**

District Judge Jill N. Parrish  
Magistrate Judge Cecilia M. Romero

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Plaintiff W. Clark Aposhian filed his Complaint (ECF No. 2) on January 16, 2019, and filed a Motion for Preliminary Injunction (ECF No. 10) the following day. On March 15, 2019 the Court denied Plaintiff's motion for a preliminary injunction. ECF No. 31. Plaintiff filed an

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<sup>1</sup> Acting Attorney General Robert M. Wilkinson is substituted automatically as Defendant under Federal Rule of Civil Procedure 25(d).

interlocutory appeal. *See* ECF No. 32. The Tenth Circuit affirmed this Court's order; the mandate issued on March 8, 2021. *See* ECF No. 46.

The Court set Defendants' deadline to file a responsive pleading or motion under Fed. R. Civ. P. 12 as "30 days after final resolution of any appeal" of the preliminary injunction. *See* ECF No. 30. Plaintiff has indicated that he intends to file a petition for certiorari with the Supreme Court. Because ultimate resolution of Plaintiff's appeal, including potentially by the Supreme Court, is likely to significantly shape future proceedings in this action, including by potentially narrowing or clarifying the issues in this case, the interests of judicial efficiency would be served by extending the time for Defendants to answer or otherwise respond.

Accordingly, Defendants respectfully request that the Court extend the deadline for Defendants to file a responsive pleading or motion until either 30 days after the time to file a petition for certiorari lapses or 30 days after resolution of any resulting proceedings in the Supreme Court. Defendants' counsel has conferred with counsel for Plaintiffs, and Plaintiffs do not oppose the relief sought.

Dated: March 9, 2021

Respectfully submitted,

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